



Foreign Affairs Manual Circular

JOINT STATE, AID, USIA, CIRCULAR

SUBJECT: Policies and Procedures for Establishing
Uniform Regulations

No. 163A

January 6, 1964

1. Purpose

This JOINT STATE/AID/USIA instruction states the policies and procedures for achieving uniformity in regulations and procedures concerning overseas administrative operations and for maintaining this uniformity on a continuing basis. It sets forth the determination of the three agencies to carry forward this project on a priority basis.

2. Background

In July 1962, a Task Force was established consisting of a representative of each agency to develop the uniformity program. The agency representatives are: Robert Klaber (State), Chairman; Eric T. Hagberg (AID); and James J. McTigue (USIA). The Task Force initially selected 19 areas for first attention and set up committees of subject matter specialists to draft the uniform regulations and procedures. Several uniform regulations and circulars have now been issued and work in most of the remaining areas initially selected is nearing completion. Several additional areas have been selected for next attention and work is now in process.

3. Policy Determinations

- a. The development of maximum uniformity in regulations and procedures is essential for the effective operations of the three agencies overseas.
- b. A substantial degree of uniformity is a practical and obtainable objective.
- c. High priority and concentrated effort must now be devoted to this program.

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- d. Special staff assistance will be assigned where needed.

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The Department of State will be responsible for leadership of this project, but all agencies will have an equal voice and the head of each agency (or his designee) retains the ultimate decision on regulations and procedures applicable to his agency. However, it is recognized that achievement of uniformity will require give-and-take between the agencies.

Priority will be given to regulations affecting personal entitlements. In developing uniformity in these areas, we will seek to extend to all agencies the most liberal existing provisions.

4. Developing Uniform Regulations

The responsibility for developing uniformity must be undertaken by every person engaged in preparing regulations and procedures affecting overseas administration. The Task Force has been given the responsibility for planning and organizing the total effort and for initiating and carrying forward work in specific areas. In the areas selected for Task Force attention, the Task Force will organize the work through committees of subject matter specialists and will provide technical staff assistance where needed. In other areas, the initiative for achieving uniformity must be taken by the persons originating new or revised regulations and procedures. In these other areas, the drafting officer should consult with his opposite numbers in the other agencies. Success in achieving uniformity depends in large measure on early and continuing consultation at the working level. Specifically, each drafting officer is responsible for:

- a. Initiating consultation with his counterpart in the other agencies to:

- (1) Ascertain their interests or concern in the project;
- (2) Determine to what extent it appears possible to develop uniformity; and
- (3) Identify the potential areas of differences and the reasons therefor.

- b. Advising the Task Force of the work being started and referring to it for resolution those problems which create difficulties or differences.

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- c. Seeking agreement leading to maximum uniformity.
- d. Drafting uniform regulations.
- e. Obtaining all necessary clearances and approval at the appropriate level within his respective agency, including submission of a statement of compliance with this instruction as prescribed below.
- f. Obtaining clearances where required, with interested agencies other than State, AID and USIA, particularly Peace Corps, CIA, Defense, and Agriculture (FAS). Generally, this clearance will be sought when the proposed drafts are in substantially final form but earlier clearance may often be necessary. |||

5. Compliance

The Regulations Staffs of the respective agencies (A/RP in State, IOA/M in USIA, and A/MP in AID) and any other officers authorized to issue instructions of a regulatory or procedural nature are responsible for assuring compliance with this instruction. In submitting a proposed issuance to his Regulations Staff, the drafting officer shall prepare a statement explaining any lack of uniformity and briefly summarize the consultation held with representatives of other agencies.

6. Procedure for Issuing and Maintaining Uniform Regulations

- a. When the three agencies have agreed upon a uniform regulation or procedure and final agency clearances and approval have been obtained, the material will be published in the Department of State issuance system; AID will issue the identical material in its Manual Order series. In most cases USIA will carry only a reference to the FAM in their MOA, but in certain cases may wish to issue the material as part of the MOA.
- b. When a uniform regulation has been issued, no changes or additions may be made without prior interagency consultation similar to that prescribed above. Similar consultation should also be undertaken before issuing interpretations of uniform regulations. This applies not only for interpretations issued for worldwide circulation, but also interpretations in response to specific inquiries. |

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7. Procedure for Issuing and Maintaining Uniform Interim Instructions

- a. It is sometimes desirable to issue uniform interim instructions on new matters which require inclusion of considerable background information or on which it is not considered advisable to treat the material as a permanent issuance. Interim instructions are also used for matters of a temporary nature. Such instructions are issued by State as Foreign Affairs Manual Circulars (FAMCs) and by USIA as a USIA Circular. AID usually issues all material of this nature as AID Notices or as Manual Orders.
- b. The rules for developing, clearing and maintaining uniformity of regulations set forth in the preceding sections of this circular will also apply to interim instructions.
- c. When a uniform instruction has been agreed upon, it will be issued by each agency in its appropriate issuance series. When it is necessary to issue separate agency explanations, filing instructions and references to other issuances, this information will be included in an agency transmittal issuance and the uniform material will be included as an attachment.

(RP)

(NOTE: Number of last circular issued: FAMC No. 163.)